

REMARKS

Reexamination and reconsideration of the claims 49-52, 54-59, and 61-65 is respectfully requested. Claims 53 and 60 have been cancelled without prejudice. Additionally, Applicants acknowledge and appreciate the Primary Examiner's consideration of the Information Disclosure Statements.

The Office Action objected to claim 51 for depending from claim 49. Claim 51 has been amended to depend from claim 50. Withdrawal of the objection to claim 51 is respectfully requested.

Claims 49-65 were rejected under 35 U.S.C. sec. 103(a) applying U.S. Pat. No. 5,325,457, (the '457 patent) in view of U.S. Pat. Nos. 6,085,009 (the '009 patent) and 5,165,003 (the '003 patent). For patents to be applicable under sec. 103(a), the combination of teachings must, *inter alia*, expressly or inherently, teach, disclose, or otherwise suggest each and every feature of the claimed invention. Additionally, motivation and suggestion to combine the teachings must be present.

The Office Action states that "Carter [the '003 patent] discloses the use of interlocking stitch 18 for retaining fibers 16 as bundles 14. The stitches are also shown in the form of loops of yarn at successive discrete locations as being claimed by the instant invention." See p. 2 of the Office Action dated September 3, 2004. This is incorrect and contrary to the objective evidence of record. Specifically, the '003 patent merely teaches the stitch as shown in Figs. 1 and 3, which does not include "loops of yarn at successive discrete locations" as asserted.

On the other hand, amended independent claim 49 is directed to, *inter alia*, a retainer element in a form of an interlocking stitch that is arranged in a form of loops of yarn at successive discrete locations. An example of the loops of yarn at successive discrete location is shown in Fig. 8 of the present

application. Simply stated, the purported modification does not teach, disclose, or otherwise suggest each and every feature of amended claim 49. Moreover, the amendment of claim 49 is not an admission that the art of record teaches, discloses, or otherwise suggests the features of the claim.

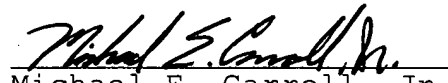
Likewise, the purported modification does not teach, disclose, or otherwise suggest each and every feature of independent claims 59, 62, and 65. For at least the reasons stated, a *prima facie* case of obviousness with respect to claims 49-52, 54-59, and 61-65 is lacking. Thus, the withdrawal of the sec. 103(a) rejection of claims 49-52, 54-59, and 61-65 is warranted and respectfully requested.

No fees are believed due in connection with this Reply. If any fees are due in connection with this Reply, please charge any fees, or credit any overpayment, to Deposit Account Number 19-2167.

Allowance of all pending claims is believed to be warranted and is respectfully requested.

The Primary Examiner is welcomed to telephone the undersigned to discuss the merits of this patent application.

Respectfully submitted,


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